

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Scott WHITNEY

Appl. No.: 10/648,264

Filed: August 27, 2003

For: Materials for Enhancing Staining of

**Biopolymers in Matrices** 

Confirmation No.: 5236

**Art Unit: 1743** 

Examiner: Wallenhorst, M.

Atty. Docket: 0942.5190002/RWE/CJW

## **Information Disclosure Statement**

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

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Information Disclosure Statement that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. No. 09/988,746, filed November 20, 2001, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

In accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the

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effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 for payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Christopher J. Walsh

Agent for Applicant Registration No. 55,709

Date: November 4, 2004

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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mw	AE1	4,416,998	11/22/1983	Adams et al.	<del></del> -		03/17/1982
	AF1	4,434,234	02/28/1984	Adams et al.			06/09/1982
mw	AG1	4,582,808	04/15/1986	Oosawa et al.	<del></del> -		05/18/1984
	AH1	5,064,768	11/12/1001	Ebata et al.			09/12/1989
mw	Al1	5,492,810	02/20/1996	Caetano-Anolles et al.			02/08/1994
	AJ1	5,567,585	10/22/1996	Caetane Anolles et al.	===		06/09/1994
mw	AK1	6,127,122	10/03/2000	Park et al.	<del> </del>		07/02/1998
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mw	AA2	6,316,267 B1	11/13/2001	NAME Bhalgat et al.	CLASS	SUB-CLASS	FILING DATE 10/27/1999
	AB2	3,835,143	09/10/1974	Witzel et al.			01/25/1972
	AC2	4,853,413	08/01/1989	Katz et al.		====	04/03/1987
	AD3	5,486,460	01/23/1996	Townsend		<del></del>	05/20/1993
	AE2	5,645,308	08/13/1006	Murphy et al.			06/19/1995
,	AF2	4,007,135	02/08/1977	Haydon of al.			11/22/1974
•	AG2	5,200,296	04/08/1993	Nagamatsu et al.		<u> </u>	04/08/1992
,	AH2	6,635,489-82	10/21/2003	Whitney			11/20/2001
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Examiner: Wallenhorst, M.

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## First Supplemental Information Disclosure Statement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicant's Information Disclosure Statement filed concurrently herewith in connection with the above-captioned application.

In accordance with 37 C.F.R. § 1.98(a)(2), no copies of the U.S. patents cited on the attached Form PTO-1449 are submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates

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Our PTO-2038 Credit Card Payment Form in the amount of \$180.00 is enclosed with the Information Disclosure Statement filed concurrently herewith for payment of the fee under 37 C.F.R. § 1.17(p). It is believed that no further fee payment is due.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted.

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Christopher J. Walsh Agent for Applicant

Registration No. 55,709

Date: November 4, 2004

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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hw		4,403,720	U9/20/1993	Merril		i	01/18/1982
mw	AB1	4,468,466	08/28/1984	Morrissey			02/16/1982
	AC1	4.575.452	03/11/1986	Lee et al.			09/21/1984
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	FILING DATE August 27, 2003	ART UNIT

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	ATTY. DOCKET NO.	APPLICATION NO.		
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